

Union Calendar No.

118TH CONGRESS
1ST SESSION

H. R. 4670

[Report No. 118-]

To amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2023

Ms. HOULAHAN (for herself, Mr. STAUBER, and Ms. SCHOLTEN) introduced the following bill; which was referred to the Committee on Small Business

SEPTEMBER --, 2023

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

A BILL

To amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Con-
5 tracting Transparency Act of 2023”.

6 **SEC. 2. REPORT ON SMALL BUSINESS CONCERNS OWNED**
7 **AND CONTROLLED BY WOMEN.**

8 (a) IN GENERAL.—Section 8(m) of the Small Busi-
9 ness Act (15 U.S.C. 637(m)) is amended by adding at the
10 end the following new paragraph:

11 “(9) REPORT.—Not later than May 1, 2024,
12 and annually thereafter, the Administrator shall sub-
13 mit to the Committee on Small Business of the
14 House of Representatives and the Committee on
15 Small Business and Entrepreneurship of the Senate
16 a report on small business concerns owned and con-
17 trolled by women. Such report shall include, for the
18 fiscal year preceding the date of the report, the fol-
19 lowing:

20 “(A) The number of applications for cer-
21 tification as a small business concern owned
22 and controlled by women that have sufficient
23 information for the Administrator to make a
24 certification determination, disaggregated by—

1 “(i) the number of applications cer-
2 tified;

3 “(ii) the number of applications de-
4 nied; and

5 “(iii) the number of applications for
6 which a determination has not been made.

7 “(B) The number of concerns certified as
8 small business concerns owned and controlled
9 by women by a national certifying entity ap-
10 proved by the Administrator.

11 “(C) The amount of fees, if any, charged
12 by each national certifying entity for such cer-
13 tification.

14 “(D) The total dollar amount and total
15 percentage of prime contracts awarded to small
16 business concerns owned and controlled by
17 women pursuant to paragraph (2) or pursuant
18 to a waiver granted under paragraph (3).

19 “(E) The total dollar amount and total
20 percentage of prime contracts awarded to small
21 business concerns owned and controlled by
22 women pursuant to paragraphs (7) and (8).

23 “(F) With respect to a contract incorrectly
24 awarded pursuant to this subsection because it
25 was awarded based on an industry in which

1 small business concerns owned and controlled
2 by women are not underrepresented—

3 “(i) the number of such contracts;

4 “(ii) the Federal agencies that issued
5 such contracts; and

6 “(iii) any steps taken by Adminis-
7 trator to train the personnel of such Fed-
8 eral agency on the use of the authority
9 provided under this subsection.

10 “(G) With respect to an examination de-
11 scribed in paragraph (5)(B)—

12 “(i) the number of examinations due
13 because of recertification requirements and
14 the actual number of such examinations
15 conducted; and

16 “(ii) the number of examinations con-
17 ducted for any other reason.

18 “(H) The number of small business con-
19 cerns owned and controlled by women that were
20 found to be ineligible to be awarded a contract
21 under this subsection as a result of an examina-
22 tion conducted pursuant to paragraph (5)(B) or
23 failure to request an examination pursuant to
24 section 127.400 of title 13, Code of Federal
25 Regulations (or a successor rule).

1 “(I) The number of small business con-
2 cerns owned and controlled by women that were
3 decertified.

4 “(J) The total number of small business
5 concerns owned and controlled by women.

6 “(K) Any other information the Adminis-
7 trator determines necessary.”.

8 (b) TECHNICAL AMENDMENT.—Section 8(m)(2)(C)
9 of the Small Business Act is amended by striking “para-
10 graph (3)” and inserting “paragraph (4)”.

11 **SEC. 3. REPORT ON SMALL BUSINESS CONCERNS OWNED**
12 **AND CONTROLLED BY QUALIFIED HUBZONE**
13 **SMALL BUSINESS CONCERNS.**

14 Section 31 of the Small Business Act (15 U.S.C.
15 657a) is amended—

16 (1) by redesignating subsection (f) as sub-
17 section (g); and

18 (2) by adding at the end the following new sub-
19 section:

20 “(e) REPORT.—Not later than May 1, 2024, and an-
21 nually thereafter, the Administrator shall submit to the
22 Committee on Small Business of the House of Representa-
23 tives and the Committee on Small Business and Entrepre-
24 neurship of the Senate a report on HUBZone small busi-

1 ness concerns. Such report shall include, for the fiscal year
2 preceding the date of the report, the following:

3 “(1) The number of applications for certifi-
4 cation as a qualified HUBZone small business con-
5 cern that have sufficient information for the Admin-
6 istrator to make a certification determination,
7 disaggregated by—

8 “(A) the number of applications certified;

9 “(B) the number of applications denied;

10 and

11 “(C) the number of applications for which
12 a determination has not been made.

13 “(2) The total dollar amount and total percent-
14 age of prime contracts awarded to qualified
15 HUBZone small business concerns pursuant to this
16 section.

17 “(3) The total dollar amount and percent of
18 sole source contracts awarded to qualified HUBZone
19 small business concerns under subsection (c)(2)(A).

20 “(4) With respect to an examination described
21 in subsection (d)(5)—

22 “(A) the number of examinations due be-
23 cause of recertification requirements and the
24 actual number of such examinations conducted;
25 and

1 neurship of the Senate a report on small business concerns
2 owned and controlled by service-disabled veterans. Such
3 report shall include, for the fiscal year preceding the date
4 of the report, the following:

5 “(1) The total number of small business con-
6 cerns certified as small business concerns owned and
7 controlled by service-disabled veterans.

8 “(2) The total dollar amount and total percent-
9 age of prime contracts awarded to small business
10 concerns owned and controlled by service-disabled
11 veterans pursuant to this section.

12 “(3) The total dollar amount and percent of
13 sole source contracts awarded to owned and con-
14 trolled by service-disabled veterans pursuant to sub-
15 section (c).

16 “(4) With respect to an examination described
17 in subsection (h)(2)—

18 “(A) the number of examinations due be-
19 cause of recertification requirements and the
20 actual number of such examinations conducted;
21 and

22 “(B) the number of examinations con-
23 ducted for any other reason.

24 “(5) The number of small business concerns
25 owned and controlled by service-disabled veterans

1 that were found to be ineligible to be awarded a con-
2 tract under this subsection as a result of an exam-
3 ination conducted pursuant to subsection (h)(2).

4 “(6) The number of small business concerns de-
5 certified as small business concerns owned and con-
6 trolled by service-disabled veterans.

7 “(7) The total number of small business con-
8 cerns owned and controlled by service-disabled vet-
9 erans.

10 “(8) Any other information the Administrator
11 determines necessary.”.

12 **SEC. 5. COMPLIANCE WITH CUTGO.**

13 No additional amounts are authorized to be appro-
14 priated to carry out this Act or the amendments made
15 by this Act. Such Act and amendments shall be carried
16 out using amounts otherwise appropriated to the Adminis-
17 trator of the Small Business Administration.